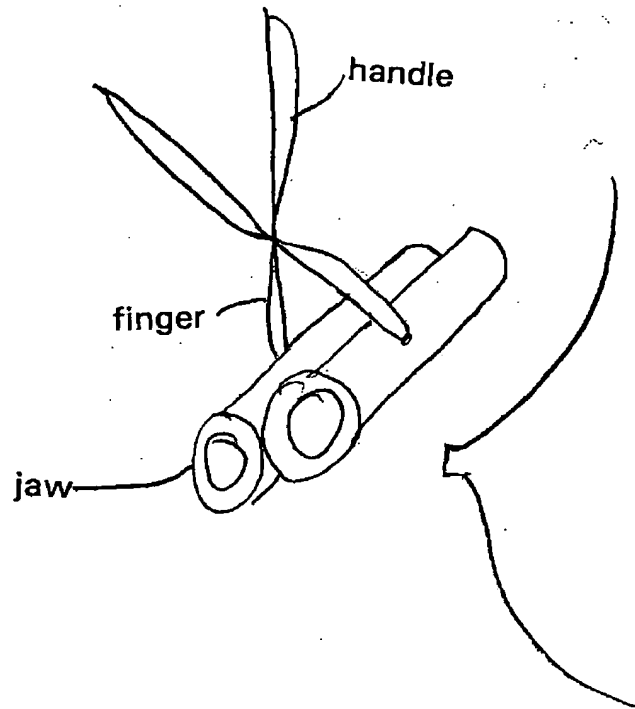
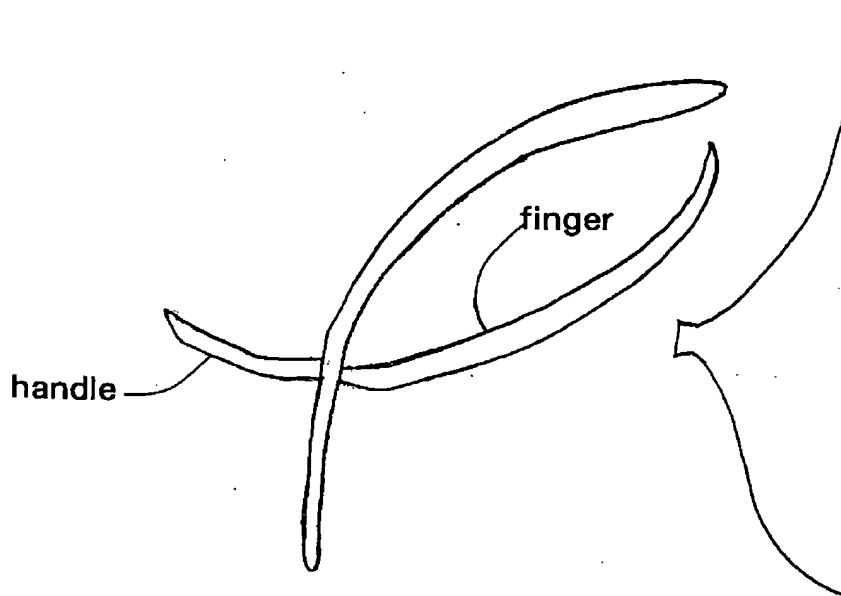


clamp were clamped on a breast such that jaws (4, 5) embrace opposite sides of the breast centered on the nipple, the hair clamp would block the access of a baby to the nipple and is utterly unsuitable for applicant's purpose. If rather than approaching from the front, Busch's hair clamp were clamped on the side of the breast, jaws (4, 5) would pinch the nipple.



The Present Invention

As shown in Figs. 1-8 and in the drawing below, applicant's compression device comprises a pair of handles formed as an extension to a pair of fingers for embracing a breast on opposite sides of the breast centered on the nipple. The finger/jaw combination of Busch cannot satisfy this requirement as set forth above.



Applicant's Claims

Applicant's claim 4 requires a pair of fingers that embrace opposite sides of a breast centered on the nipple and handles that are formed as an extension of the fingers. If Busch's jaws (4,5) are taken as fingers then they do not satisfy the requirement that the handles are formed as an extension of the fingers. While the words of a patent claim may be interpreted broadly, they may not be read inconsistently with the English language. An "extension" according to Webster's New World College Dictionary, Third Edition, 1997, is "a part that forms a continuation." Busch's handles (2,3) are not formed as an extension of jaws (4, 5); jaws (4,5) are a separate element.

For a rejection under Section 102(b) the reference must identically meet the requirements of each element of a patent claim. It is believed that Busch does not anticipate applicant's claim 4. Claim 5 depends from claim 4 and is therefore also not anticipated.

Applicant's claim 6 reads on "a spring biased clip of single piece construction." Busch's hair clamp is of multiple piece construction is not an effective reference under Section 102(b). Claims 7-8 depend from claim 6 and are also not anticipated.


Applicant's claims 1 and 9 both include "means plus function" elements for which applicant invokes Section 112, paragraph 6 interpretation. Claim 1 requires "means for moving said fingers towards each other for compressing the breast tissue behind the nipple to shape the breast into more of a V-shaped wedge ..." and "means for holding said fingers in selected spaced apart position" These "means plus function" elements must be interpreted in view of the specification. As outlined above, the drawings and specification show that the handles are extensions of the fingers which embrace opposite sides of a portion of the breast centered on the nipple. For this reason, Busch is not an effective 102(b) reference. Claims 2-3 depend from claim 1 and are also not anticipated.

Claim 9 reads on a method making use of a device having a pair of opposed fingers that embrace opposite sides of a portion of the breast centered on the nipple and a "means for holding said fingers in selected spaced part position compressing the breast." The "means plus function" element must be read in view of the specification which requires the handles to be integrally formed as extensions of the fingers. As described above, Busch's hair clamp would not help a baby latch onto a breast but would either block access to the nipple or pinch the nipple. Claim 10 depends from claim 9 and is also not anticipated.

In view of the above remarks, it is believed that the rejection under Section 102(b) should be withdrawn. Reconsideration of the application and allowance of the claims are respectfully requested.

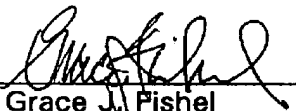
Respectfully submitted,

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CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office at (571) 273-8300 on December 7, 2005.



Grace J. Fishel